LR 7.1 CERTIFICATE OF NONCONCURRENCE

Undersigned counsel for the plaintiff certifies that the preceding motion has been served upon Charles Day but that no concurrence prior to filing has been obtained. On Sunday, June 8, 2003, the undersigned called Mr. Day at 212 274 8408 and spoke with Mr. Day. Mr. Day indicated that he could not concur in the filing of any motion without reading the motion first. Mr. Day advised that he was no longer residing at his former mailing address, 80-100 Tryon Place, Jamaica, NY 11432, but suggested mail be forwarded to him at 30 E. Broadway, NYC 10002.

Respectfully submitted,

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